



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

File #: SO2013-6101, Version: 1

## FINAL FOR PUBLICATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Residential Planned Development #1046 symbols and indications as shown on Map Number 9-K in the area bounded by:

Starting at a point 851.48 feet north of the north line of West Addison Street on the east line of the Chicago, St. Paul and Pacific Railroad right-of-way; a line extending 81.12 feet northeast and perpendicular to North Milwaukee Avenue; the west line of North Milwaukee Avenue southeast for a distance of 394.00 feet; a line perpendicular to North Milwaukee Avenue traveling southwest for a distance of 125.00 feet; a line parallel to North Milwaukee Avenue traveling southeast for a distance of 105.00 feet; a line perpendicular to North Milwaukee Avenue traveling northeast a distance of 125.00 feet to North Milwaukee Avenue; the west line of North Milwaukee Avenue southeast for a distance of 215.00 feet; a line perpendicular to North Milwaukee Avenue traveling southwest for 125.00 feet; a line parallel to North Milwaukee Avenue traveling southeast 3.00 feet; a line perpendicular to North Milwaukee Avenue traveling southwest for 168.51 feet; a line traveling southwesterly 46.30 feet intersecting the arc hereinafter described; a 190.86 foot arc traveling northwest to a point of intersection with a line beginning 202.28 feet north of the north line of West Addison Street, running perpendicular to North Milwaukee Avenue and southwest for 33.58 feet to its intersection with a point 202.28 feet north of the north line of West Addison Street, said point being along the Chicago, St. Paul and Pacific Railroad right-of-way; and the Chicago, St. Paul and Pacific Railroad right-of-way line for a distance of 649.2 feet to the point of beginning,

to those of Residential Planned Development #1046, as Amended, and a corresponding use district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Common Address for the Property: 3670-3688 and 3700-3738 North Milwaukee,  
Chicago, Illinois

5780492.3

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Residential Planned Development Number 1046, As Amended

### Bulk Regulations And Data Table

Gross Site Area: 199,700 square feet (4.60 acres)

Area to Remain in Public Right-of-Way: 19,620 square feet (0.46 acre)

Area to be dedicated to Public Right-of Way: 63,520 square feet (1.45 acres)

Net Site Area: 116,560 square feet (2.68 acres)

Maximum Floor Area Ratio: 1.0

Maximum Number of Residential Units: 49 Units

Maximum Site Coverage:

Number of Off-Street Parking Spaces:

Minimum Building Setbacks: Maximum Building Height:  
74%

98 Minimum; 138 Maximum

Note: In the event fewer residential dwelling units are built, then fewer parking spaces may be built as long as the parking ratio of 2.0 parking spaces per dwelling unit is maintained.

Per Site Plan-Typical Home Option 35'-0"

Applicant: NahshonDevelopment, LLC  
Addresses: 3670 - 3738 N. Milwaukee Avenue  
Introduction Date: September 11, 2013 P:lan  
Commission Date: April 23, 2014

## **FINAL FOR PUBLICATION**

### **RESIDENTIAL PLANNED DEVELOPMENT NO. 1046, AS AMENDED**

#### **PLAN OF DEVELOPMENT**

##### **Statements**

1. The area delineated herein as Residential Planned Development Number 1046, As Amended, ("Planned Development") consists of approximately 199,800 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by 3670-3720 North Milwaukee, LLC. The Applicant is Nahshon Development, LLC.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Owner and the Applicant, their successors and assigns and, if different than the Owner and the Applicant, the legal title holders and any ground lessors. All rights granted hereunder

to the Owner and the Applicant shall inure to the benefit of the Owner's and Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.

3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign or grantees and approval by the City Council.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of these fifteen (15) Statements and the following prepared by Pappageorge Haymes, Ltd. and dated April 23, 2014 submitted herein:

Applicant:	Nahshon Development, LLC
Address:	3670-3688 and 3700-3738 North Milwaukee, Chicago, Illinois
Introduced:	September 11, 2013
Plan Commission:	April 23, 2014

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- a Bulk Regulations and Data Table;
- an Existing Zoning Map;
- an Existing Land-Use Map;
- a Planned Development Boundary and Property Line Map;
- a Right-of-Way Adjustment and Lot Plan;
- Site Plan-Typical Home Option;
- Site Landscape Plan;

- Lot Landscape Plan;
- Milwaukee Street Elevations;
- Front Elevation Options;
- Typical Side and Rear Elevations;
- Typical Home Porch Options;
- Optional Full Width Porch on Typical Lot; and
- Typical Side and Rear Elevations.

Full-sized copies of the Site Plan-Typical Home; Site Landscape Plan and Lot Landscape Plan; Milwaukee Street Elevations, Typical Side and Rear Elevations, and Front Elevations Options are on file with the Department of Planning and Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are permitted in the area delineated herein as Residential Planned Development No. 1046, As Amended: single family detached dwelling units; accessory parking; and related uses.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR

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identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of

116,560 square feet. The permitted maximum FAR of 1.0 shall apply to the entire Planned Development and each individual lot therein, including those created by combining and/or subdividing lots. In no case shall development of a lot exceed 3,000 square feet of floor area as defined by the Chicago Zoning Ordinance.

9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

No Part II approval shall be issued for individual homes until a Plat of Subdivision has been approved and recorded and all of the public improvements on the site (street, alleys, water, sewer and utility lines, etc.) have been reviewed and approved for construction according to City standards.

No Part II approval for individual homes shall be issued for the 25th home until the two Open Spaces indicated on the Site Plan-Typical Home Option and Site Landscape Plan have been graded and seeded to grass.

10. The improvements on the Property shall be designed, constructed, installed and maintained in substantial conformance with the Site Plan-Typical Home Option, Site Landscape Plan, Lot Landscape Plan, and Building Elevations and in accordance with the landscape provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval. The Site Plan-Typical Home Option, and Site Landscape Plan and Lot Landscape Plan shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

Optional features, including, but not limited to, a three car garage on those lots for which availability is shown on the Site Plan, rear porches, rear decks, chimneys, a bonus room and larger or smaller footprint (as long as the footprints meet zoning setback standards and for those lots which are designated on the Site Plan), and any other features allowed to encroach into the required setbacks pursuant to Section 17-17-0309 of the Zoning Ordinance are permitted.

The design features of any home proposed to be constructed which are different than the elevations included with the Planned Development shall include pitched or gabled roofs, porches, and double hung windows, and shall utilize materials similar to those shown on the elevations, except that masonry may be substituted. Exposed poured concrete and exposed concrete masonry units are prohibited.

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Individual lots may be combined and/or subdivided with the approval of the Zoning Administrator as a Minor Change. No resulting lot may be less than 1,880 square feet or more than 4,200 square feet or have less than 26 feet of street frontage. Front, rear, and side setback, and rear yard open space requirements for the RT3.5 Residential Two-Flat, Townhouse and Multi-Unit District shall control development on the resulting lots.

11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. At the time of the hearing before the Chicago Plan Commission, the current City of Chicago Sustainable Development Policy did not require Building Certification or a green roof for single-family detached houses.
15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Unless substantial construction of at least one building has begun within the Planned Development within six (6) years of the date of passage of the Planned Development, this Planned Development ordinance shall lapse and the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to the RT3.5, Residential Two-Flat, Townhouse and Multi-Unit District.

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Address: 3670-3688 and 3700-3738 North Milwaukee, Chicago, Illinois  
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# FINAL FOR PUBLICATION r Proposed Site

## Existing Zoning Map

Applicant:  
Nahshon Development LLC M TM  
4252 North Cicero  
Chicago, Illinois 60641 /A ( I )

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Plan Commission : April 23, 2014

Milwaukee Avenue

Property Address:  
3670-3688 and 3700-3738 North

Illinois

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**Residential w/ Ground Floor Business**

**Business**

SF  
©



**Single Family Residential Residential**

**Industrial / Manufacturing**

**Applicant:**

Nahshon Development, LLC 4252 North Cicero Chicago, Illinois 60641

Introduced: September 11, 2008 Plan Commission : April 23, 2014

**Property Address:**

3670-3688 and 3700-3738 North Milwaukee Avenue Chicago, Illinois

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**Applicant:**

Nahshon Development, LLC 4252 North Cicero Chicago, Illinois 60641

Introduced: September 11, 2008 Plan Commission : April 23, 2014

**Property Address:**

3670-3688 and 3700-3738 North Milwaukee Avenue Chicago, Illinois

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**Applicant:**

Nahshon Development, LLC 4252 North Cicero Chicago, Illinois 60641

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**Property Address:**

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N. KENNETH AVENUE

**Applicant:**

Nahshon Development, LLC 4252 North Cicero Chicago, Illinois 60641

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Kentucky Bluegrass Sod at front yards

Shredded Hardwood Mulch - 3" depth

Trash Can  
Stored Inside /  
2 1/2 Story Residence Type IV-A Construction

. Concrete Walk at Sideyard  
Garage

3-Car Garage

Wood Steps and Porch at Front and Rear

Oil

! Optional 6'-0" Tall Wood j Fence

## Typical 3-Car Garage Option Site Plan

Wood Steps and Porch at Front and Rear

Optional 6'-0" Tall Wood. ! Fence

## Typical 2-Car Garage Site Plan

### **Lob Landscape Plan**

Purpleleaf Wintercreeper or similar

Groundcover at Parkways - typ.

Concrete Walk & Driveway Apron with Asphalt Driveway

Note: At Sites without alleys, trashcans will be stored in rear yards and brought to curb on trash days.

2 1/2" Caliper Trees per Bureau of Forestry ' Recommendations - One at each property

### **Applicant:**

Nahshon Development, LLC 4252 North Cicero Chicago, Illinois 60641

Introduced: September 11, 2008 Plan Commission : April 23, 2014

### **Property Address:**

3670-3688 and 3700-3738 North Milwaukee Avenue Chicago, Illinois

## N. Milwaukee Ave. Elevation

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### **Milwaukee Street Elevation**

### **Applicant:**

Nahshon Development  
4252 North Cicero

### **Property Address:**

3700 North Milwaukee Avenue  
Chicago,

Illinois  
Chicago, Illinois 60641

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## Typical Side Elevation

## Typical Rear Elevation

### Typical Side and Rear Elevation

#### Applicant:

Nahshon Development  
4252 North Cicero  
Chicago, Illinois 60641

#### Property Address:

3700 North Milwaukee Avenue  
Chicago, Illinois

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**Optional Full Width Porch on Typical Lot**

**Applicant:**  
Nahshon Development  
4252 North Cicero  
Illinois  
Chicago, Illinois 60641

**Introduced:**  
Plan Commission : April 23, 2014

September

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2008

**Property Address:** >.  
3700 North Milwaukee Avenue  
Chicago,